

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 2663

Chapter 217, Laws of 2000

56th Legislature
2000 Regular Session

ATYPICAL ANTIPSYCHOTIC MEDICATION--DISTRIBUTION

EFFECTIVE DATE: 6/8/00

Passed by the House March 6, 2000
Yeas 96 Nays 2

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 3, 2000
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved March 30, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 2663** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 30, 2000 - 2:20 p.m.

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 2663

Passed Legislature - 2000 Regular Session

AS AMENDED BY THE SENATE

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Alexander, Schual-Berke, Parlette, Cody, Reardon, Ericksen, Morris, Tokuda, Benson, Doumit, Pflug, Kessler, Ruderman, Rockefeller, Edmonds, Santos, O'Brien, Hurst and Esser)

Read first time 02/07/2000. Referred to Committee on .

1 AN ACT Relating to the distribution of atypical antipsychotic
2 medications to underserved populations; creating new sections; and
3 providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that schizophrenia is
6 a devastating and costly disease. Atypical antipsychotic medications
7 have been developed for treatment of schizophrenia and other similar
8 psychiatric and neurological conditions, which have been effective at
9 treating these conditions with less severe side effects than the side
10 effects that accompany typical antipsychotics. Atypical antipsychotic
11 medications are commonly prescribed and are within the standard of
12 care. In order to protect the public health, safety, and welfare, and
13 reduce the economic and societal costs associated with untreated
14 schizophrenia and other similar psychiatric and neurological
15 conditions, the legislature intends to promote access to atypical
16 antipsychotic medications by those unable to access them and who
17 present a risk of harm to themselves and to the community.

1 NEW SECTION. **Sec. 2.** (1) To the extent funds are appropriated,
2 the department of social and health services shall request proposals
3 that promote access to atypical antipsychotic medications to persons
4 who meet the following criteria:

5 (a) The person has schizophrenia or other psychiatric or
6 neurological condition that is treated with atypical antipsychotic
7 medication;

8 (b) The person's income is less than two hundred percent of the
9 federal poverty level; and

10 (c) The person is not covered by insurance or other benefit that
11 pays for atypical antipsychotic medications. The person may have a
12 copayment requirement under available coverage, which is cost
13 prohibitive for the person given his or her income level, which would
14 not disqualify the person under the requirement of this section.

15 (2) Contracts shall be awarded to contractors whose proposal meets
16 the following criteria:

17 (a) Has a distribution mechanism that achieves cost savings in
18 service delivery and medication costs;

19 (b) Targets children and adults who are transitioning out of state
20 or local correctional or detention facilities or who have recently
21 received mental health services under chapter 71.05 or 71.34 RCW;

22 (c) Is based on a clear statement of intended outcomes which are
23 objective and identified in the proposal;

24 (d) Is designed to provide temporary access to these atypical
25 antipsychotic medications until the person has obtained coverage or
26 achieved financial capacity to retain them;

27 (e) Proposes to dispense the atypical antipsychotic medications as
28 a part of a comprehensive program designed to achieve an improved
29 mental status and stable living situation; and

30 (f) Maximizes cost savings of the atypical antipsychotic
31 medications.

32 (3)(a) "Atypical antipsychotic medications" means drugs with a
33 pharmacological classification of dibenzodiazepines, benzisoxazoles,
34 thienobenzodiazepines, and dibenzothiazepines, and such other drugs as
35 are defined in rule by the department which have the same or very
36 similar utility in treating schizophrenia or other similar psychiatric
37 and neurological conditions.

38 (b) "Access to atypical antipsychotic medications" includes:

1 (i) Pharmaceutical companies participating in this program shall
2 increase access to their products for the targeted population through
3 intensive outreach to their respective indigent drug programs as of the
4 effective date of this act. The eligibility criteria of their
5 respective indigent drug programs shall not be changed to decrease
6 access or availability from the criteria as they exist on March 15,
7 2000; and

8 (ii) Other drugs or laboratory tests when used in conjunction with
9 the atypical antipsychotic medications to achieve maximum therapeutic
10 effect, or to treat side effects.

11 (4) Nothing in this section creates or provides any individual with
12 an entitlement to services or benefits. It is the intent of the
13 legislature that atypical antipsychotic medications shall be made
14 available under this section only to the extent of the availability and
15 level of appropriation made by the legislature.

16 (5) The distribution mechanism shall require successful recipients
17 to comply with data collection needs of the Washington institute for
18 public policy.

19 (6) The department is authorized to establish rules necessary to
20 implement the provisions of this act.

21 NEW SECTION. **Sec. 3.** (1) The Washington institute for public
22 policy shall conduct an evaluation of this act to determine the
23 following:

24 (a) Outcomes for persons receiving atypical antipsychotic
25 medications under the provisions of this act, including, but not
26 limited to the person's: (i) Ability to perform basic living skills
27 and maintain a job; (ii) adherence to medication regimens; (iii) number
28 of inpatient placement or acute care services after having received
29 atypical antipsychotic medications; and (iv) criminal conviction record
30 for further offenses, if any, after having received atypical
31 antipsychotic medications;

32 (b) The extent to which this act increases access to atypical
33 antipsychotic medications to the targeted population; and

34 (c) The uniformity by health care providers in prescribing atypical
35 antipsychotic medications among the population identified under the
36 provisions of this act.

1 (2) The Washington institute for public policy shall identify the
2 number of children and the number of adults served; and outcomes,
3 access, and uniformity for both children and adults.

4 (3) The Washington institute for public policy shall report to the
5 legislature by January 1, 2002.

6 NEW SECTION. **Sec. 4.** This act expires June 30, 2002.

Passed the House March 6, 2000.

Passed the Senate March 3, 2000.

Approved by the Governor March 30, 2000.

Filed in Office of Secretary of State March 30, 2000.